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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/988,447	11/20/2001	Rie Saito	35.C15963	8541
5514	7590	09/19/2005	EXAMINER	
FITZPATRICK CELLA HARPER & SCINTO			SERRAO, RANODHI N	
30 ROCKEFELLER PLAZA			ART UNIT	
NEW YORK, NY 10112			PAPER NUMBER	
			2141	

DATE MAILED: 09/19/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/988,447

Applicant(s)

SAITO, RIE

Examiner

Ranodhi Serrao

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 20 November 2001.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-16 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-16 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 20 November 2001 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_\_
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_

CA

**DETAILED ACTION**

***Claim Rejections - 35 USC § 102***

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

2. Claims 1-16 are rejected under 35 U.S.C. 102(b) as being anticipated by Walker et al., (5,862,223).

3. As per claims 1 and 13-16, Walker et al. teaches a server capable of communication with a user terminal and a helper terminal for providing information to the user terminal (col. 15, lines 21-42), comprising: storage means for storing helper information of the helper terminal (col. 14, lines 14-24); reception means for receiving from the user terminal an inquiry about information desired by a user (col. 18, lines 31-46); and selection means for selecting the helper terminal in accordance with the inquiry received by said reception means and the helper information stored in said storage means (col. 17, line 36-col. 18, line 5).

4. As per claim 2, Walker et al. teaches a server, wherein the helper information stored in said storage means is keywords of the information which the helper terminal can provide (col. 14, line 66-col. 15, line 9).

5. As per claim 3, Walker et al. teaches a server, wherein: said reception means receives at least one of a communication ability of the user terminal and a desired fee for obtaining the information desired by the user (col. 17, lines 13-35); and the server

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further comprises transmission means for transmitting the inquiry received by said reception means to the helper terminal selected by said selection means (col. 16, lines 54-61).

6. As per claim 4, Walker et al. teaches a server, further comprising: notice means for notifying the helper terminals selected by said selection means to the user terminal (col. 8, lines 28-39); and connection means for establishing a communication between the user terminal and the helper terminal selected by the user from the helper terminal notified by said notice means (col. 13, lines 35-47).

7. As per claim 5, Walker et al. teaches a server, wherein said notice means notifies at least one of a communication ability and a desired fee of the helper terminal selected by said selection means (col. 21, lines 12-26).

8. As per claim 6, Walker et al. teaches a server, further comprising: second storage means for storing information provided by the helper terminal (col. 16, lines 31-37); wherein said notice means notifies the information stored in said second storage means (col. 21, lines 38-62).

9. As per claim 7, Walker et al. teaches a server, wherein at least a permission for storing the information in said second storage means is required to be received from the helper terminal or a permission for notifying by said notice means is required to be received from the user terminal (col. 7, line 62-col. 8, line 15).

10. As per claim 8, Walker et al. teaches a server, further comprising payment requesting means for requesting the user terminal to pay a fee for the obtained information (col. 21, line 64-col. 22, line 11).

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11. As per claim 9, Walker et al. teaches a server, further comprising payment processing means for paying a fee for the information provided by the helper terminal (col. 22, lines 12-45).

12. As per claim 10, Walker et al. teaches a server, further comprising fee collecting means for collecting a registration fee for storing the helper information in said storage means (col. 23, lines 24-46).

13. As per claim 11, Walker et al. teaches a server, further comprising advertisement distributing means for distributing advertisement information to at least one of the user terminal and the helper terminal (col. 23, lines 24-46).

14. As per claim 12, Walker et al. teaches a server, further comprising extraction means for extracting keywords from the inquiry received by said reception means, wherein said selection means selects the helper terminal in accordance with the keywords extracted by said extraction means (col. 20, lines 28-49).

### ***Conclusion***


15. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. These references are disclosed in the Notice of References Cited and teach numerous other ways of implementing a server with help function, control method for server and system having server, storage medium storing program realizing such method, thus a close review of them is suggested.

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Any inquiry concerning this communication or earlier communications from the examiner should be directed to Ranodhi Serrao whose telephone number is (571)272-7967. The examiner can normally be reached on 8:00-4:30pm, M-F.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Rupal Dharia can be reached on (571)272-3880. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

  
RUPAL DHARIA  
SUPERVISORY PATENT EXAMINER